

# *Town Of* **SPRINGFIELD**

## MEETING MINUTES

Tuesday, November 17, 2020, 6:00 P.M.

Town Board Meeting: JAR Storage  
*via teleconference & video conference*

1. CALL TO ORDER & ROLL CALL

Chair Jim Pulvermacher called the meeting to order at 6:09 p.m.

Roll call shows Chair Pulvermacher and Supervisors Dave Laufenberg, Bill Statz, Art Meinholz, and Dan Dresen present and appearing at town hall.

Also present and appearing at town hall were Clerk-Treasurer Dianah Fayas, Plan Commission Chairman Jeff Endres, and Attorney Mitchel Olson on behalf of the JAR Storage. Appearing via tele &/or video conference were Town Attorney Mark Hazelbaker, Town Zoning Administrator Kory Anderson and Plan Commissioner Ron Wolfe.

2. CONFIRMATION OF COMPLIANCE WITH OPEN MEETINGS LAW

The Clerk confirmed that the agenda was posted at town hall and on the Town website. The meeting is being recorded for use during the drafting of the meeting minutes.

3. INFORMAL PUBLIC COMMENT TIME – None.

4. DISCUSSION/DIRECTION/ACTION: JAR STORAGE ZONING VIOLATION/NON-COMPLIANCE.

MINUTES OF SEPT. PC/TB MEETING:

**MOTION BY COMMISSIONER WRIGHT, SECONDED BY COMMISSIONER WOLFE TO REJECT THE APPLICATIONS BASED ON RECOMMENDATION BY THE ATTORNEY, INCOMPLETE AND NON-COMPLIANCE WITH STORMWATER PERMITTING, HISTORICAL DISREGARD FOR ZONING AND NON-COMPLIANCE WITH CURRENT ZONING; AND TO NOT ALLOW RESUBMISSION OF APPLICATION UNTIL THE COUNTY HAS SIGNED OFF ON THE STORMWATER IMPROVEMENTS AND THE PROPERTY IS BROUGHT BACK INTO COMPLIANCE WITH CURRENT ZONING. MOTION CARRIED, 4-0; COMMISSIONER ACKER ABSTAINED.**

Attorney Olson thanked the board and acknowledged there were issues to be addressed, noting his client Mr. Wipperfurth had hired an engineer to address stormwater and erosion concerns and come into compliance with Dane County on those issues. The 2005 rezone restrictions were briefly reviewed, with Attorney Olson calling attention to the narrow scope of the restrictions, to the extent that the individual tenants in some cases were specified. PC Chairperson Endres provided a synopsis of the events over the course of the last year since Mr. Wipperfurth's rezone application was submitted, indicating the Plan Commission had been waiting for the stormwater issue to be resolved before addressing the rezone request. Attorney Hazelbaker reminded the board that the applicant agreed to the rezone restrictions as a condition of expansion; and expansion since then has seemingly not taken safety and OSHA standards into consideration. He stated that if the applicant had originally proposed what he has now, it wouldn't have been approved; the property is over built and over

occupied and encroaching on neighbors. He advised the board to require the applicant to come into compliance with the 2005 restrictions before entertaining action on present requests.

Chairperson Pulvermacher would like a written, mutually agreed upon timeline for compliance and start fining Mr. Wipperfurth for each day of violation or revoke his zoning. He would be willing to hold some or all of the fines in abeyance. The board will direct the town's zoning administrator to perform an inspection and provide a review/recommendation which will get the clock ticking on any violations. The board would like the timeline by December 15<sup>th</sup>. Mr. Olson would like to accompany the zoning administrator on his inspection. Chairperson Endres recommended having town engineers review and sign off on the stormwater plans and reiterated questions the Plan Commission had raised about the property's parking, bathrooms, handicap accessibility, and floor drains.

**Motion by Chairperson Pulvermacher, seconded by Sup. Dresen to have GEC do a site visit to determine existing zoning violations at JAR Storage on Highway 19 and that Mr. Wipperfurth's attorney will accompany GEC on the inspection. Motion carried, 5-0.**

**Motion by Sup. Dresen, seconded by Sup. Meinholz that only current businesses as of Nov. 17<sup>th</sup> can operate at the site; if they leave, nothing can go back into those spaces except indoor storage until the zoning is resolved with the Town. Mr. Olson to provide the Town with a list of current occupants. Motion carried, 5-0.**

5. ADJOURN

**Motion by Sup. Meinholz, seconded by Sup. Statz to adjourn the meeting at 6:50 p.m. Motion carried, 5-0.**